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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,999	06/23/2000	Steven Andrew Cover	204006	8986

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LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6780

EXAMINER

LUU, SY D

ART UNIT PAPER NUMBER

2174

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/599,999

Applicant(s)

COVER ET AL.

Examiner

Sy D Luu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25, 27-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 27-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This communication is responsive to Amendment A, filed 6/11/03. This action is Final.
2. Claims 1-29 are pending in this application. Claims 1, 14 and 22 are independent claims. In the Amendment A, claims 1, 7, 14 and 22 were amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### *Claim Rejections - 35 USC § 102*

4. Claims 1-7, 10-14, and 16-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Netscape Communicator v 4.61 and Prizm Plug-in 2.1 ("Netscape Communicator").

As per claims 1-5, Netscape Communicator teaches a method of modifying an image on a web page, the method comprising: establishing communication with a remote computer over an Internet public network (fig. 1; *connecting to the PTO website*) using HTTP Internet protocol through a TCP/IP stack (*inherent features within browsers such as Netscape*); downloading the web page from the remote computer and displaying the web page in a web-browser interface (fig. 1; *PTO webpage*); and in response to the user selecting the image from the displayed web page directly from the web-browser interface (fig. 3; *user selecting image 30 and activating the editor through menu option 36*), presenting the image in an editing interface for modification by the user (figs. 4-5; *where a "plug-in" editor is automatically invoke---see figs. 1-2 for information on the plug-in editor*).

As per claims 6, Netscape Communicator teaches the web page to comprise a plurality of images (fig. 3; *images 30, 32 and 34*), and wherein the presenting step further comprise: in response to user selection of at least one image of the plurality of images (fig. 3; *user selecting image 30 and activating the editor through menu option 36*), presenting the selected image in an editing interface for modification by the user (figs. 4-5; *where a "plug-in" editor is automatically invoke---see figs. 1-2 for information on the plug-in editor*).

Claims 7, 11, 12-14 and 17-22 are similar in scope to claims 6, 1, 6, 9, 1, 7, 14-17, 1 respectively, and are therefore rejected under similar rationale.

As per claim 10, Netscape Communicator teaches the user being given an option to open the web page in the editing interface (figs. 3-4).

Claim 16 is similar in scope to the combination of claims 6 and 15, and are therefore rejected under similar rationale.

Claims 23, 27 and 29 are similar in scope to claims 2, 16 and 8 respectively, and are therefore rejected under similar rationale.

As per claim 24, Netscape Communicator discloses the communication means to be a socket (*an inherent feature for indentifying a particular service on a particular node on a network*).

As per claims 25-26, Netscape Communicator teaches the display means to be a web browser in cooperating with the communicating means (fig. 3).

As per claims 28, Netscape Communicator teaches the editing means to be a graphic editing program (fig. 5).

***Claim Rejections - 35 USC § 103***

5. Claim 8-9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Netscape Communicator v 4.61 and Prizm Plug-in 2.1 ("Netscape Communicator").

As per claims 8-9 and 15, Netscape Communicator does not explicitly disclose the steps of: (a) determining user's write access privilege/authorization and saving a modified image as a modified source file onto the remote computer; and (b) changing the appearance of the image when the cursor is over at least part of the image even though the step of detecting the location of the cursor on the user interface is used (shown in fig. 3). However, these steps are notoriously well known in the art. It would have been obvious to an artisan at the time of the invention to include these steps with the Netscape Communicator in order to provide measures of security for user accounts and data therein, and to distinguish the image from the rest of the web page.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 14 and 22 have been considered but but are moot in view of the new ground(s) of rejection. The Examiner agrees with Applicant's arguments that Netscape Communicator / Composer does not teach the step of modifying an image directly from a web-browser interface. However, the rejection is made of in view of Netscape Communicator / Prizm Plug-in.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

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Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prizm Plug-in Personal Edition 2.1 (FreeDownloads Center; pages 2; 3/1998)

Diamond et al. (US 6,591,295) teaches a Web agent software interface between a relational database and Web-based application programs.

Herr-Hoyman et al. (US 6,591,295) teaches an Internet-Based Automatic Publishing System.

#### ***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

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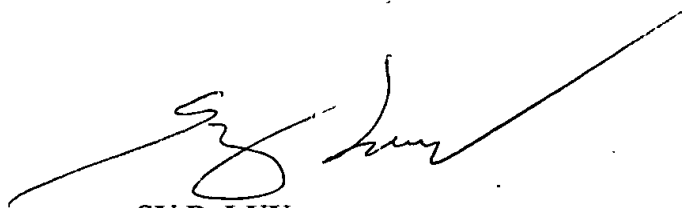
The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Sy D. Luu', with a long, sweeping horizontal line extending to the right.

**SY D. LUU**  
**PRIMARY EXAMINER**